

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CANDACE SMITH,

Plaintiff,

v.

PLANET FITNESS, PRIVATE  
SECURITY COMPANY, BRIANNA  
LNU, Manager, and JOHANNA GARCIA,  
security guard,

Defendants.

Case No. 1:24-cv-00203-JLT-HBK

ORDER DENYING MOTION TO PROCEED  
*IN FORMA PAUPERIS* WITHOUT  
PREJUDICE AND REQUIRING PLAINTIFF  
TO COMPLETE LONG FORM OR PAY  
\$405.00 FILING FEE

(Doc. No. 2)


Plaintiff proceeds in this civil action *pro se*. (Doc. No. 1). Plaintiff moves to proceed *in forma pauperis* under 28 U.S.C. § 1915. (Doc. No. 2). Plaintiff's application does not contain sufficient information for the Court to determine if she is entitled to proceed in this action without prepayment of fees. Notably, Plaintiff acknowledges that she is employed but fails to certify under penalty of perjury her income. Accordingly, the Court will order Plaintiff to complete and file an Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) – AO 239. If Plaintiff is unwilling to complete and submit the long form application, Plaintiff must pay the filing fee in full.

Accordingly, it is **ORDERED**:

1. Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. No. 2) is DENIED without prejudice.

2. The Clerk of the Court is directed to forward an Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) – AO 239 to Plaintiff.
3. Within twenty-one (21) days of the date on this order, Plaintiffs shall either (1) pay the \$405.00 filing fee for this action, or (2) complete and file the enclosed Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) – AO 239.
4. If Plaintiff fails to comply with this order, this action shall be dismissed for failure to pay the filing fee and failure to comply with a court order as a sanction under Local Rule 110.

Dated: February 27, 2024

  
HELENA M. BARCH-KUCHTA  
UNITED STATES MAGISTRATE JUDGE